DETAILED ACTION

1. This action is in response to applicant's amendment filed on 07 March 2008. **Claims 1-10, 12, 15-22, 24-25, 28-32, and 35-36** are now pending in the present application and **claims 11, 13-14, 23, 26-27, and 33-34** are cancelled. This office action is made **Final**.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 15-17, 28-29, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hiben et al**. (hereinafter Hiben) **(US 2002/0169008 A1)** in view of **Bunton et al**. (hereinafter Bunton) **(US 2004/0102219 A1)**, **Lencevicius et al**. (hereinafter Lencevicius) **(US 2004/0204183 A1)**, and **Shapiro (US 5,705,980)**.

Regarding **claim 1**, Hiben discloses a method for adjusting power consumption in a receiving device (106) which reads on the claimed "device" (see pg. 1, [0005, 0015]; Figs. 1, 7-8), the method comprising the steps of:

receiving a control message which reads on the claimed "command" to enter a low power mode (see pg. 1, [0015-0016]; Figs. 1, 7-8), where the receiving device (106) receives control messages to operate in low power decoding mode; and

adjusting, in response to receiving the command, at least operating mode of the device (106) so as to enter a low power operating mode that still supports message exchange of the

device (see pg. 1, [0016]; Figs. 1-2, 7-8), where the receiving device switches to low power mode for decoding;

wherein the command includes a receiver identification (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the receiver identification would be inherent, and

the method further comprises the step of determining if the receiver identification matches an identification associated with the device (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the matching of receiver identification would be inherent. As a note, Hiben teaches of the features wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device (see pg. 1, [0015-0016]; pg. 2, [0019]), the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). The base station (104) communicates with device (106) in the coverage area of the communication system (100) according to the location determined by the device being registered with a base station (104) or a component such as a GPS satellite providing relative location information. Hiben does not specifically disclose having the features in response to an emergency mode situation; but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device, wherein an event that causes the emergency mode situation at least partially occurs in the location description; wherein adjusting at least

one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the device. However, the examiner maintains that the feature in response to an emergency mode situation was well known in the art, as taught by Bunton.

In the same field of endeavor, Bunton discloses the feature in response to an emergency mode situation (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations;

wherein an event that causes the emergency mode situation at least partially occurs in the location description (e.g., mine) (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations (e.g., event) in which the MS (4) is in the location of a mine for the CS (2) and MS (4) to communicate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben and Bunton to have the feature in response to an emergency mode situation; wherein an event that causes the emergency mode situation at least partially occurs in the location description, in order to provide communications between parties without reliance on any connective infrastructure, as taught by Bunton (see [0001], [0002, lines 10-13]). The combination of Hiben and Bunton does not specifically disclose having the feature but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a

location description, and the determining step comprises comparing the location description to a current location of the device; wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the device. However, the examiner maintains that the feature but disables or alters features of the device not necessary to the operation of the device; wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the device was well known in the art, as taught by Lencevicius.

In the same field of endeavor, Lencevicius discloses the feature but disables or alters features of the device not necessary to the operation of the device (see pg. 1, [0016]; pg. 4, [0042]), where the power management profile disables a feature such as backlighting;

wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the device (see pg. 16, [0016]; pg. 2, [0021, 0027]), where the device can be a dual mode device which using a first (or primary) protocol (e.g., CDMA or long range) for communicating with a telephony carrier and a secondary protocol (e.g., infrared or short range) for communicating with a nearby device (e.g., peripheral device) in which selecting a primary communication system and turning off or reducing the frequency in which secondary communication networks are monitored would be inherent to conserve power for primary (or emergency) communications as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, and Lencevicius to have the feature but disables or alters features of the device not necessary to the operation of the device; wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the device, in order to reduce the power consumption of the device while retaining at least some of the functionality of the device, as taught by Lencevicius (see pg. 1, [0005]). The combination of Hiben, Bunton, and Lencevicius does not specifically disclose having the feature wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device. However, the examiner maintains that the feature wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device was well known in the art, as taught by Shapiro.

As further support in the same field of endeavor, Shapiro specifically discloses wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device (see col. 2, lines 30-67; abstract; Figs. 1 and 7), where communicating with the device according to the location of the device. As a note, Shapiro further discloses the feature wherein an event (e.g., distress signal) that causes the emergency mode situation at least partially occurs in the location description (see col. 2, lines 30-67; abstract; Figs. 1 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiben, Bunton, and Lencevicius with Shapiro by specifically having the features wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device, for the purpose of using a selective call transceiver to summon help to a distress condition, as taught by Shapiro (see col. 2, lines 2-9).

Regarding **claim 2**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 1), in addition Hiben further discloses a the method according to claim 1, wherein in the adjusting step, the at least one operating mode includes a quality of service setting, a vocoding ratio, a BER threshold that initiates background scanning, a frequency of monitoring other communication networks, a definition of a function key, an operating mode of a display, a resolution of a display, a sensor, a CPU clock speed, or an alert time (see pg. 1, [0016]; pg. 2, [0024]; Figs. 1, 7-8).

Regarding **claim 3**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 1), in addition Hiben further discloses the method according to claim 1, further comprising the steps of:

receiving a second command to exit the low power mode (see pg. 1, [0016]; Figs. 1, 7-8), where the receiving device (106) switches from low power decoding mode to high power decoding mode; and

adjusting, in response to receiving the second command, the at least one operating mode of the device (106) so as to exit the low power operating mode (see pg. 1, [0016]; Figs. 1, 7-

8), where the receiving device (106) switches from low power decoding mode to high power decoding mode.

Regarding **claim 15**, Hiben discloses a receiving device (106) which reads on the claimed "electronic device" (see pg. 1, [0005, 0015]; Figs. 1, 7-8), the method comprising the steps of:

a receiver (500) for receiving a control message which reads on the claimed "command" to enter a low power mode (see pg. 1, [0016]; pg. 4, [0035]; Figs. 1, 5, 7-8), where the receiving device (106) receives control messages to operate in low power decoding mode; and

a processor which reads on the claimed "mode controller" communicatively coupled to the receiver (500), the mode controller being capable of adjusting at least operating mode of the device (106) so as to enter a low power operating mode when the command is received by the receiver (500) wherein the low power operating mode still supports message exchange of the device (see pg. 1, [0016]; pg. 4, [0035]; Figs. 1-2, 5, 7-8), where the receiving device can switch to low power decoding mode;

wherein the command includes a receiver identification (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the receiver identification would be inherent, and

the mode controller (106, e.g., processor) determines if the receiver identification matches an identification associated with the device (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the matching of receiver identification would be inherent. As a note, Hiben teaches of wherein the receiver

identification comprises a location description, and the mode controller compares the location description to a current location of the device (see pg. 1, [0015-0016]; pg. 2, [0019]), where the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). The base station (104) communicates with device (106) in the coverage area of the communication system (100) according to the location determined by the device being registered with a base station (104) or a component such as a GPS satellite providing relative location information. Hiben does not specifically disclose having the features in response to an emergency mode situation; but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a location description, and the mode controller further compares the location description to a current location of the device, wherein an event that causes the emergency mode situation at least partially occurs in the location description; wherein the mode controller is capable of adjusting at least one operating mode by selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device. However, the examiner maintains that the feature in response to an emergency mode situation; wherein an event that causes the emergency mode situation at least partially occurs in the location description was well known in the art, as taught by Bunton.

Bunton further discloses the feature in response to an emergency mode situation (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that

controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations;

wherein an event that causes the emergency mode situation at least partially occurs in the location description (e.g., mine) (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations (e.g., event) in which the MS (4) is in the location of a mine for the CS (2) and MS (4) to communicate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben and Bunton to have the feature in response to an emergency mode situation; wherein an event that causes the emergency mode situation at least partially occurs in the location description, in order to provide communications between parties without reliance on any connective infrastructure, as taught by Bunton (see [0001], [0002, lines 10-13]). The combination of Hiben and Bunton does not specifically disclose having the feature but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a location description, and the mode controller further compares the location description to a current location of the device; wherein the mode controller is capable of adjusting at least one operating mode by selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device. However, the examiner maintains that the feature but disables or alters features of the device not necessary to the operation of the device; wherein

the mode controller is capable of adjusting at least one operating mode by selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device was well known in the art, as taught by Lencevicius.

Lencevicius further discloses the feature but disables or alters features of the device not necessary to the operation of the device (see pg. 1, [0016]; pg. 4, [0042]), where the power management profile disables a feature such as backlighting;

wherein the mode controller is capable of adjusting at least one operating mode by selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device (see pg. 16, [0016]; pg. 2, [0021, 0027]), where the device can be a dual mode device which using a first (or primary) protocol (e.g., CDMA or long range) for communicating with a telephony carrier and a secondary protocol (e.g., infrared or short range) for communicating with a nearby device (e.g., peripheral device) in which selecting a primary communication system and turning off or reducing the frequency in which secondary communication networks are monitored would be inherent to conserve power for primary (or emergency) communications as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, and Lencevicius to have the feature but disables or alters features of the device not necessary to the operation of the device, in order to reduce the power consumption of the device while retaining at least some

of the functionality of the device; wherein the mode controller is capable of adjusting at least one operating mode by selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device, as taught by Lencevicius (see pg. 1, [0005]). The combination of Hiben, Bunton, and Lencevicius does not specifically disclose having the feature wherein the receiver identification comprises a location description, and the mode controller further compares the location description to a current location of the device. However, the examiner maintains that the feature wherein the receiver identification comprises a location description, and the mode controller further compares the location description to a current location of the device was well known in the art, as taught by Shapiro.

As further support in the same field of endeavor, Shapiro specifically discloses wherein the receiver identification comprises a location description, and the mode controller further compares the location description to a current location of the device (see col. 2, lines 30-67; abstract; Figs. 1 and 7), where communicating with the device according to the location of the device. As a note, Shapiro further discloses the feature wherein an event (e.g., distress signal) that causes the emergency mode situation at least partially occurs in the location description (see col. 2, lines 30-67; abstract; Figs. 1 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiben, Bunton, and Lencevicius with Shapiro by specifically having the features wherein the receiver identification comprises a location description, and the mode controller further compares the location description to a current

location of the device, for the purpose of using a selective call transceiver to summon help to a distress condition, as taught by Shapiro (see col. 2, lines 2-9).

Regarding **claim 16**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 15), in addition Hiben further discloses the electronic device (106) according to claim 8, wherein the at least one operating mode includes a quality of service setting, a vocoding ratio, a BER threshold that initiates background scanning, a frequency of monitoring other communication networks, a definition of a function key, an operating mode of a display, a resolution of a display, a sensor, a CPU clock speed, or an alert time (see pg. 1, [0016]; pg. 2, [0024]; Figs. 1, 7-8).

Regarding **claim 17**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 15), in addition Hiben further discloses the electronic device (106) according to claim 9, wherein the receiver (500) is further able to receive a second command to exit the low power mode (see pg. 1, [0016]; pg. 4, [0035]; Figs. 1, 5, 7-8), where the receiving device (106) switches from low power decoding mode to high power decoding mode; and

the mode controller (106, e.g., processor) is capable of adjusting the at least one operating mode of the device (106) so as to exit the low power operating mode when the second command is received by the receiver (500) (see pg. 1, [0016]; Figs. 1, 5, 7-8), where the receiving device (106) can switch from low power decoding mode to high power decoding mode.

Regarding **claim 28**, the combination of Hiben, Bunton, and Lencevicius teaches of wherein the location description comprises a tower identification, a network identification, a

zip code, an area code or a time zone (see pg. 1, [0015-0016]; pg. 2, [0019]), the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). The base station (104) communicates with device (106) in the coverage area of the communication system (100) according to the location determined by the device being registered with a base station (104) or a component such as a GPS satellite providing relative location information. The combination of Hiben, Bunton, and Lencevicius does not specifically disclose having the feature wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone. However, the examiner maintains that the feature wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone was well known in the art, as taught by Shapiro.

As further support in the same field of endeavor, Shapiro specifically discloses wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone (see col. 2, lines 30-67; abstract; Figs. 1 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiben, Bunton, and Lencevicius with Shapiro by specifically having the feature wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone, for the purpose of using a selective call transceiver to summon help to a distress condition, as taught by Shapiro (see col. 2, lines 2-9).

Regarding **claim 29**, Hiben discloses a machine readable storage having stored thereon a computer program comprising computer programming instructions executable by a device that cause the device to perform the steps of:

receiving a control message which reads on the claimed "command" to enter a low power mode (see pg. 1, [0015-0016]; Figs. 1-2, 7-8), where the receiving device (106) receives control messages to operate in low power decoding mode; and

adjusting, in response to receiving the command, at least operating mode of the device (106) so as to enter a low power operating mode that still supports message exchange of the device (see pg. 1, [0016]; Figs. 1, 7-8), where the receiving device switches to low power mode for decoding;

wherein the command includes a receiver identification (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the receiver identification would be inherent, and

the computer program instructions further cause the device to perform the step of determining if the receiver identification matches an identification associated with the device (see pg. 1, [0015-0016]; pg. 2, [0019]), the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). As a note, Hiben teaches of the features wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device (see pg. 1, [0015-0016]; pg. 2, [0019]), the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch

between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). The base station (104) communicates with device (106) in the coverage area of the communication system (100) according to the location determined by the device being registered with a base station (104) or a component such as a GPS satellite providing relative location information. Hiben does not specifically disclose having the features in response to an emergency mode situation; but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device, wherein an event that causes the emergency mode situation at least partially occurs in the location description. However, the examiner maintains that the feature in response to an emergency mode situation; wherein an event that causes the emergency mode situation at least partially occurs in the location description was well known in the art, as taught by Bunton.

Bunton further discloses the feature in response to an emergency mode situation (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations;

wherein an event that causes the emergency mode situation at least partially occurs in the location description (e.g., mine) (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations (e.g., event) in which the MS (4) is in the location of a mine for the CS (2) and MS (4) to communicate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben and Bunton to have the feature in response to an emergency mode situation; wherein an event that causes the emergency mode situation at least partially occurs in the location description, in order to provide communications between parties without reliance on any connective infrastructure, as taught by Bunton (see [0001], [0002, lines 10-13]). The combination of Hiben and Bunton does not specifically disclose having the feature but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a location description, and the mode controller compares the location description to a current location of the device; wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device. However, the examiner maintains that the feature but disables or alters features of the device not necessary to the operation of the device; wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device was well known in the art, as taught by Lencevicius.

Lencevicius further discloses the feature but disables or alters features of the device not necessary to the operation of the device (see pg. 1, [0016]; pg. 4, [0042]), where the power management profile disables a feature such as backlighting;

wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which

other secondary communication networks are monitored by the electronic device (see pg. 16, [0016]; pg. 2, [0021, 0027]), where the device can be a dual mode device which using a first (or primary) protocol (e.g., CDMA or long range) for communicating with a telephony carrier and a secondary protocol (e.g., infrared or short range) for communicating with a nearby device (e.g., peripheral device) in which selecting a primary communication system and turning off or reducing the frequency in which secondary communication networks are monitored would be inherent to conserve power for primary (or emergency) communications as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, and Lencevicius to have the feature but disables or alters features of the device not necessary to the operation of the device; wherein adjusting at least one operating mode includes selecting a primary communication system for the device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device, in order to reduce the power consumption of the device while retaining at least some of the functionality of the device, as taught by Lencevicius (see pg. 1, [0005]). The combination of Hiben, Bunton, and Lencevicius does not specifically disclose having the feature wherein the receiver identification comprises a location description, and the determining the step comprises comparing the location description to a current location of the device. However, the examiner maintains that the feature wherein the receiver identification comprises a location description, and the determining the step comprises comparing the location

description to a current location of the device was well known in the art, as taught by Shapiro.

As further support in the same field of endeavor, Shapiro specifically discloses wherein the receiver identification comprises a location description, and the determining the step comprises comparing the location description to a current location of the device (see col. 2, lines 30-67; abstract; Figs. 1 and 7), where communicating with the device according to the location of the device. As a note, Shapiro further discloses the feature wherein an event (e.g., distress signal) that causes the emergency mode situation at least partially occurs in the location description (see col. 2, lines 30-67; abstract; Figs. 1 and 7)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiben, Bunton, and Lencevicius with Shapiro by specifically having the features wherein the receiver identification comprises a location description, and the determining the step comprises comparing the location description to a current location of the device, for the purpose of using a selective call transceiver to summon help to a distress condition, as taught by Shapiro (see col. 2, lines 2-9).

Regarding **claim 35**, the combination of Hiben, Bunton, and Lencevicius teaches of wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone (see pg. 1, [0015-0016]; pg. 2, [0019]), the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). The base station (104) communicates with device (106) in the coverage area of the communication system (100) according to the location determined by the device being

registered with a base station (104) or a component such as a GPS satellite providing relative location information. The combination of Hiben, Bunton, and Lencevicius does not specifically disclose having the feature wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone. However, the examiner maintains that the feature wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone was well known in the art, as taught by Shapiro.

As further support in the same field of endeavor, Shapiro specifically discloses wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone (see col. 2, lines 30-67; abstract; Figs. 1 and 7). As a note, Shapiro further discloses the feature wherein an event (e.g., distress signal) that causes the emergency mode situation at least partially occurs in the location description (see col. 2, lines 30-67; abstract; Figs. 1 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiben, Bunton, and Lencevicius with Shapiro by specifically having the feature wherein the location description comprises a tower identification, a network identification, a zip code, an area code or a time zone, for the purpose of using a selective call transceiver to summon help to a distress condition, as taught by Shapiro (see col. 2, lines 2-9).

Regarding **claim 36**, Hiben discloses a method for controlling an electronic device, the method comprising the steps of:

receiving at least one of data and voice information from the device (see pg. 1, [0015-16]; pg. 2, [0017]; Figs. 1, 7-8); and

transmitting a message to the device (106), the message including a command instructing the device (106) to enter low power mode (see pg. 1, [0015-0016]; Figs. 1, 7-8), where the receiving device (106) switches to low power decoding mode.

without affecting the voice transmission capabilities of the device during the low power operating mode transmitting a message to the device (106), the message including a command instructing the device (106) to enter low power mode (see pg. 1, [0015-0016]; Figs. 1-2, 7-8), where the receiving device (106) switches to low power decoding mode;

wherein the command also includes a receiver identification (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the receiver identification would be inherent, and

the method further comprises the step of determining if the receiver identification matches an identification associated with the device (see pg. 1, [0015]), where the receiving devices receive control messages to adjust power in which the matching of receiver identification would be inherent. As a note, Hiben teaches of the features wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device (see pg. 1, [0015-0016]; pg. 2, [0019]), the features would be inherent because a receiving device (106) receives controlling messages from the base station (104) to switch between low and high power (see pg. 1, [0015-0016]; pg. 2, [0019]). The base station (104) communicates with device (106) in the coverage area of the communication system (100) according to the location determined

by the device being registered with a base station (104) or a component such as a GPS satellite providing relative location information. Hiben does not specifically disclose having the feature in response to an emergency mode situation; conserve power during the emergency mode situation; wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device, wherein an event that causes the emergency mode situation at least partially occurs in the location description; wherein the low power includes selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device. However, the examiner maintains that the feature in response to an emergency mode situation; conserve power during the emergency mode situation was well known in the art, as taught by Bunton.

Bunton further discloses the feature in response to an emergency mode situation (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize power consumptions in emergency situations such as search and rescue operations;

conserve power during the emergency mode situation (see pg. 9, [0136-0137]; Fig. 4), where the CS transmits a command to the MS that controls transmissions of the MS to minimize power consumptions in emergency situations such as search and rescue operations;

wherein an event that causes the emergency mode situation at least partially occurs in the location description (e.g., mine) (see pg. 9, [0136-0137]; Figs. 1-4), where the CS (2) transmits a command to the MS (4) that controls transmissions of the MS (4) to minimize

power consumptions in emergency situations such as search and rescue operations (e.g., event) in which the MS (4) is in the location of a mine for the CS (2) and MS (4) to communicate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben and Bunton to have the feature in response to an emergency mode situation; conserve power during the emergency mode situation; wherein an event that causes the emergency mode situation at least partially occurs in the location description, in order to provide communications between parties without reliance on any connective infrastructure, as taught by Bunton (see [0001], [0002, lines 10-13]). The combination of Hiben and Bunton does not specifically disclose having the feature but disables or alters features of the device not necessary to the operation of the device; wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device; wherein the low power includes selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device. However, the examiner maintains that the feature but disables or alters features of the device not necessary to the operation of the device; wherein the low power includes selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device was well known in the art, as taught by Lencevicius.

In the same field of endeavor, Lencevicius discloses the feature but disables or alters features of the device not necessary to the operation of the device (see pg. 1, [0016]; pg. 4, [0042]), where the power management profile disables a feature such as backlighting;

wherein the low power includes selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device (see pg. 16, [0016]; pg. 2, [0021, 0027]), where the device can be a dual mode device which using a first (or primary) protocol (e.g., CDMA or long range) for communicating with a telephony carrier and a secondary protocol (e.g., infrared or short range) for communicating with a nearby device (e.g., peripheral device) in which selecting a primary communication system and turning off or reducing the frequency in which secondary communication networks are monitored would be inherent to conserve power for primary (or emergency) communications as evidenced by the fact that one of ordinary skill in the art would clearly recognize.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, and Lencevicius to have the feature but disables or alters features of the device not necessary to the operation of the device; wherein the low power includes selecting a primary communication system for the electronic device and turning off or reducing the frequency in which other secondary communication networks are monitored by the electronic device, in order to reduce the power consumption of the device while retaining at least some of the functionality of the device, as taught by Lencevicius (see pg. 1, [0005]). The combination of Hiben, Bunton, and Lencevicius does not specifically disclose having the feature wherein the receiver

identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device. However, the examiner maintains that the feature wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device was well known in the art, as taught by Shapiro.

As further support in the same field of endeavor, Shapiro specifically discloses wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device (see col. 2, lines 30-67; abstract; Figs. 1 and 7), where communicating with the device according to the location of the device. As a note, Shapiro further discloses the feature wherein an event (e.g., distress signal) that causes the emergency mode situation at least partially occurs in the location description (see col. 2, lines 30-67; abstract; Figs. 1 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hiben, Bunton, and Lencevicius with Shapiro by specifically having the features wherein the receiver identification comprises a location description, and the determining step comprises comparing the location description to a current location of the device, for the purpose of using a selective call transceiver to summon help to a distress condition, as taught by Shapiro (see col. 2, lines 2-9).

Claims 4-5, 8, 18-19, 24, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hiben et al.** (hereinafter Hiben) **(US 2002/0169008 A1)** in view of **Bunton et al.** (hereinafter Bunton) **(US 2004/0102219 A1)**, **Lencevicius et al.** (hereinafter Lencevicius) **(US 2004/0204183 A1)**, and **Shapiro (US 5,705,980)** as applied to claims 1, 15, and 29 above, and further in view of **Reichelt (US 6,427,072 B1)**.

Regarding **claim 4**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature the step of preventing a user from changing the at least one operation while the device is in the low power operating mode. However, the examiner maintains that the feature the step of preventing a user from changing the at least one operation while the device is in the low power operating mode was well known in the art, as taught by Reichelt.

In the same field of endeavor, Reichelt discloses the feature the step of preventing a user from changing the at least one operation while the mobile telephone which reads on the claimed "device" is in the low power operating mode (see col. 5, lines 41-52; col. 3, lines 60-64; Figs. 1, 2 "ref. 42").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature the step of preventing a user from changing the at least one operation while the device is in the low power operating mode, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function

selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Regarding **claim 5**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature the step of providing at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode. However, the examiner maintains that the feature the step of providing at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature the step of providing at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode (see col. 3, lines 60-64; Fig. 1 "ref. 30").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature the step of providing at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Regarding **claim 8**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature further comprising the step of continuing to

operate the device after a battery energy level has fallen below a normal operating threshold. However, the examiner maintains that the feature further comprising the step of continuing to operate the device after a battery energy level has fallen below a normal operating threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature further comprising the step of continuing to operate the mobile telephone (10) which reads on the claimed "device" after a battery energy level has fallen below a normal operating threshold (see col. 3, lines 50-64; col. 4, lines 62-67), where the user of the mobile telephone can operate using the emergency call reserve power which is below the normal operating power level.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature further comprising the step of continuing to operate the device after a battery energy level has fallen below a normal operating threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Regarding **claim 18**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature wherein the mode controller prevents a user from changing the at least one operation while the device is in the low power operating mode. However, the examiner maintains that the feature wherein the mode controller

prevents a user from changing the at least one operation while the device is in the low power operating mode was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature wherein the mode controller (e.g., microcomputer 12) prevents a user from changing the at least one operation while the mobile telephone which reads on the claimed "device" is in the low power operating mode (see col. 5, lines 41-52; col. 3, lines 60-64; Figs. 1, 2 "ref. 42").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature wherein the mode controller prevents a user from changing the at least one operation while the device is in the low power operating mode, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Regarding **claim 19**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature further comprising at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode. However, the examiner maintains that the feature further comprising at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature further comprising at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode (see col. 3, lines 60-64; Fig. 1 "ref. 30").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature further comprising at least one status indicator for indicating at least one of an emergency situation and that the device is operating in the low power operation mode, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Regarding **claim 24**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature wherein in the low power operating mode, the electronic device continues to operate after a battery energy level has fallen below a normal operating threshold. However, the examiner maintains that the feature wherein in the low power operating mode, the electronic device continues to operate after a battery energy level has fallen below a normal operating threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature further wherein in the low power operating mode, the mobile telephone (10) which reads on the claimed "electronic device" after a battery energy level has fallen below a normal operating threshold (see col. 3, lines 50-64;

col. 4, lines 62-67), where the user of the mobile telephone can operate using the emergency call reserve power which is below the normal operating power level.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature wherein in the low power operating mode, the electronic device after a battery energy level has fallen below a normal operating threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Regarding **claim 31**, the combination of Hiben, Bunton, Lencevicius, and Shapiro not specifically disclose having the feature further comprising computer programming instructions for performing the step of continuing to operate the device after a battery energy level has fallen below a normal operating threshold. However, the examiner maintains that the feature further comprising the step of continuing to operate the device after a battery energy level has fallen below a normal operating threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature further comprising computer programming instructions for performing the step of continuing to operate the mobile telephone (10) which reads on the claimed "device" after a battery energy level has fallen below a normal operating threshold (see col. 3, lines 50-64; col. 4, lines 62-67), where the user of the mobile

telephone can operate using the emergency call reserve power which is below the normal operating power level in which the instructions would be inherent.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature further comprising computer programming instructions for performing the step of continuing to operate the device after a battery energy level has fallen below a normal operating threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10).

Claims 6 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hiben et al.** (hereinafter Hiben) (**US 2002/0169008 A1**) in view of **Bunton et al.** (hereinafter Bunton) (**US 2004/0102219 A1**), **Lencevicius et al.** (hereinafter Lencevicius) (**US 2004/0204183 A1**), and **Shapiro** (**US 5,705,980**) as applied to claim 1 above, and further in view of **Simpson et al.** (hereinafter Simpson) (**US 2004/0121767 A1**).

Regarding **claim 6**, Hiben discloses the feature wherein the command (e.g., control messages) (see pg. 1, 0015-0016). Also, Bunton discloses the feature wherein the command (see pg. 9, [00137]). The combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features an alert message that also includes a uniform resource locator, and the method further comprises the step of presenting information associated with the uniform resource locator. However, the examiner maintains that the

features an alert message that also includes a uniform resource locator, and the method further comprises the step of presenting information associated with the uniform resource locator was well known in the art, as taught by Simpson.

In the same field of endeavor, Simpson discloses the features an alert message that also includes a hyperlinks which reads on the claimed "uniform resource locator" (see pg. 4, [0044, 0041]), where the messages includes hyperlinks, and

the method further comprises the step of presenting information associated with the uniform resource locator (see pg. 4, [0044]), where the message includes hyperlinks in which the presenting information would be inherent.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Simpson to have the features an alert message that also includes a uniform resource locator, and the method further comprises the step of presenting information associated with the uniform resource locator, in order to provide users with the ability to determine the operating status of systems or subsystems, as taught by Simpson (see pg. 1, [0002], lines 18-19).

Regarding **claim 20**, Hiben discloses the feature wherein the command (e.g., control messages) (see pg. 1, 0015-0016). Also, Bunton discloses the feature wherein the command (see pg. 9, [00137]). The combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features an alert message that also includes a uniform resource locator, and the electronic device further comprises a display for presenting information associated with the uniform resource locator. However, the examiner maintains

that the features an alert message that also includes a uniform resource locator, and the electronic device further comprises a display for presenting information associated with the uniform resource locator was well known in the art, as taught by Simpson.

Simpson further discloses the features an alert message that also includes a hyperlinks which reads on the claimed "uniform resource locator" (see pg. 4, [0044]), where the messages includes hyperlinks, and

the electronic device (118) further comprises a display for presenting information associated with the uniform resource locator (see pg. 4, [0044]; Fig. 1), where the message includes hyperlinks in which the presenting information would be inherent.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Simpson to have the features an alert message that also includes a uniform resource locator, and the electronic device further comprises a display for presenting information associated with the uniform resource locator, in order to provide users with the ability to determine the operating status of systems or subsystems, as taught by Simpson (see pg. 1, [0002], lines 18-19).

Claims 7, 12, 21, 25, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hiben et al.** (hereinafter Hiben) **(US 2002/0169008 A1)** in view of **Bunton et al.** (hereinafter Bunton) **(US 2004/0102219 A1)**, **Lencevicius et al.** (hereinafter Lencevicius) **(US 2004/0204183 A1)**, and **Shapiro (US 5,705,980)** as applied to claim 1 above, and further in view of **Alperovich et al.** (hereinafter Alperovich) **(US 6,385,469 B1)**.

Regarding **claim 7**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode. However, the examiner maintains that the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode was well known in the art, as taught by Alperovich.

In the same field of endeavor, Alperovich discloses the features

presenting a user with a plurality of operating modes (see col. 3, lines 31-38; Fig. 2), where the user presented with a menu;

accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes (see col. 3, line 51 - col. 4, line 6; Fig. 2); and

placing the mobile station (20) which reads on the claimed "device" into the selected operating mode (see col. 3, line 51 - col. 4, line 6; col. 4, lines 34-37; Fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro,

and Alperovich to have the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode, in order to extend the life of a battery within a mobile station, while still allowing a mobile subscriber to use the MS, as taught by Alperovich (see col. 2, lines 29-32).

Regarding **claim 12**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature wherein the command to enter the low power mode is initiated by a user of the device. However, the examiner maintains that the feature wherein the command to enter the low power mode is initiated by a user of the device was well known in the art, as taught by Alperovich.

Alperovich further discloses the feature wherein the command to enter the low power mode is initiated by a user of the device (20) (see col. 3, line 51 - col. 4, line 6; col. 4, lines 34-37; Fig. 2), where the user can select the mode to extend the life of the battery.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Alperovich to have the feature wherein the command to enter the low power mode is initiated by a user of the device, in order to extend the life of a battery within a mobile station, while still allowing a mobile subscriber to use the MS, as taught by Alperovich (see col. 2, lines 29-32).

Regarding **claim 21**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode

that is chosen from the plurality of operating modes; and placing the device into the selected operating mode. However, the examiner maintains that the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode was well known in the art, as taught by Alperovich.

Alperovich further discloses the features

presenting a user with a plurality of operating modes (see col. 3, lines 31-38; Fig. 2), where the user presented with a menu;

accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes (see col. 3, line 51 - col. 4, line 6; Fig. 2); and

placing the mobile station (20) which reads on the claimed "device" into the selected operating mode (see col. 3, line 51 - col. 4, line 6; col. 4, lines 34-37; Fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Alperovich to have the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode, in order to extend the life of a battery within a mobile station, while still allowing a mobile subscriber to use the MS, as taught by Alperovich (see col. 2, lines 29-32).

Regarding **claim 25**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the feature wherein the command to enter the low power mode is initiated by a user of the device. However, the examiner maintains that the

feature wherein the command to enter the low power mode is initiated by a user of the device was well known in the art, as taught by Alperovich.

Alperovich further discloses the feature wherein the command to enter the low power mode is initiated by a user of the device (20) (see col. 3, line 51 - col. 4, line 6; col. 4, lines 34-37; Fig. 2), where the user can select the mode to extend the life of the battery.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Alperovich to have the feature wherein the command to enter the low power mode is initiated by a user of the device, in order to extend the life of a battery within a mobile station, while still allowing a mobile subscriber to use the MS, as taught by Alperovich (see col. 2, lines 29-32).

Regarding **claim 30**, the combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode. However, the examiner maintains that the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode was well known in the art, as taught by Alperovich.

Alperovich further discloses the features

presenting a user with a plurality of operating modes (see col. 3, lines 31-38; Fig. 2), where the user presented with a menu;

accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes (see col. 3, line 51 - col. 4, line 6; Fig. 2); and

placing the mobile station (20) which reads on the claimed "device" into the selected operating mode (see col. 3, line 51 - col. 4, line 6; col. 4, lines 34-37; Fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Alperovich to have the features presenting a user with a plurality of operating modes; accepting an input from the user that indicates a selected operating mode that is chosen from the plurality of operating modes; and placing the device into the selected operating mode, in order to extend the life of a battery within a mobile station, while still allowing a mobile subscriber to use the MS, as taught by Alperovich (see col. 2, lines 29-32).

Claims 9-10, 22, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hiben et al**. (hereinafter Hiben) **(US 2002/0169008 A1)** in view of **Bunton et al**. (hereinafter Bunton) **(US 2004/0102219 A1)**, **Lencevicius et al**. (hereinafter Lencevicius) **(US 2004/0204183 A1)**, and **Shapiro (US 5,705,980)** as applied to claims 1, 15, and 29 above, and further in view of **Reichelt (US 6,427,072 B1)** and **Bigwood et al**. (hereinafter Bigwood) **(US 2002/0086718 A1)**.

Regarding **claim 9**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 1), in addition Hiben further discloses the method according to claim 1, further comprising the steps of:

monitoring an energy level of a battery (see pg. 1, 0015-0016]), where the device (106) switches modes to reduce power usage of the batteries in which the monitoring would be inherent. The combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features comparing the energy level to a threshold; transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted. However, the examiner maintains that the feature comparing the energy level to a threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature comparing the energy level to a threshold (see col. 4, line 58 - col. 5, line 17; col. 6, line 31-35; Fig. 2 "ref. 44").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature comparing the energy level to a threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10). The combination of Hiben, Bunton, Lencevicius, and Reichelt does not specifically disclose having the features transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted. However, the examiner maintains that the features transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted was well known in the art, as taught by Bigwood.

In the same field of endeavor, Bigwood discloses the features transmitting an indication of the energy level to a fleet controller (7) which reads on the claimed "central controller" (see pg. 3, [0041-0046]; Fig. 2); and providing an indication that the indication of the energy level has been transmitted (see pg. 3, [0043-0046]; Fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, Reichelt, and Bigwood to have the features transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted, in order interrogate each mobile radio unit via an over the air interface to automatically report various battery condition parameters, as taught by Bigwood (see pg. 3, [0048]).

Regarding **claim 10**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 1), in addition Hiben further discloses the method according to claim 1, further comprising the steps of:

monitoring an energy level of a battery (see pg. 1, 0015-0016]), where the device (106) switches modes to reduce power usage of the batteries in which the monitoring would be inherent. The combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features comparing the energy level to a threshold; transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery. However, the examiner maintains that the feature comparing the energy level to a threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature comparing the energy level to a threshold (see col. 4, line 58 - col. 5, line 17; col. 6, line 31-35; Fig. 2 "ref. 44").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature comparing the energy level to a threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10). The combination of Hiben, Bunton, Lencevicius, and Reichelt does not specifically disclose having the features transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery. However, the examiner maintains that the features transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery was well known in the art, as taught by Bigwood.

Bigwood further discloses the features

transmitting an indication of the energy level to a fleet controller (7) which reads on the claimed "central controller" (see pg. 3, [0041-0046]; Fig. 2); and

providing an indication of an estimated time of arrival (i.e., remaining battery life) of a replacement battery (see pg. 3, [0043-0047]; Fig. 2), where the fleet manager interrogates the database for battery capacities in which the estimated time of arrival would be inherent because the battery capacity indicates the remaining battery life for usage. Since the fleet

manager is informed of the remaining battery life that results in the amount of time the device will be usable, the manager uses this time amount to provide remedial action to remove or replace the batteries.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, Reichelt, and Bigwood to have the features transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery, in order interrogate each mobile radio unit via an over the air interface to automatically report various battery condition parameters, as taught by Bigwood (see pg. 3, [0048]).

Regarding **claim 22**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 15), in addition Hiben further discloses the method according to claim 15, further comprising the steps of:

means (100) for monitoring an energy level of a battery (see pg. 1, 0015-0016, 0004-0005]), where the device (106) switches modes to reduce power usage of the batteries in which the monitoring would be inherent. The combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features comparing the energy level to a threshold; transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery. However, the examiner maintains that the feature comparing the energy level to a threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature comparing the energy level to a threshold (see col. 4, line 58 - col. 5, line 17; col. 6, line 31-35; Fig. 2 "ref. 44").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, and Reichelt to have the feature comparing the energy level to a threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10). The combination of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt does not specifically disclose having the features transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery. However, the examiner maintains that the features transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery was well known in the art, as taught by Bigwood.

Bigwood further discloses the features

transmitting an indication of the energy level to a fleet controller (7) which reads on the claimed "central controller" (see pg. 3, [0041-0046]; Fig. 2); and

providing an indication of an estimated time of arrival (i.e., remaining battery life) of a replacement battery (see pg. 3, [0043-0047]; Fig. 2), where the fleet manager interrogates the database for battery capacities in which the estimated time of arrival would be inherent because the battery capacity indicates the remaining battery life for usage. Since the fleet manager is informed of the remaining battery life that results in the amount of time the

device will be usable, the manager uses this time amount to provide remedial action to remove or replace the batteries.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, Reichelt, and Bigwood to have the features transmitting an indication of the energy level to a central controller; and providing an indication of an estimated time of arrival of a replacement battery, in order interrogate each mobile radio unit via an over the air interface to automatically report various battery condition parameters, as taught by Bigwood (see pg. 3, [0048]).

Regarding **claim 32**, the combination of Hiben, Bunton, Lencevicius, and Shapiro discloses every limitation claimed, as applied above (see claim 29), in addition Hiben further discloses the method according to claim 29, further comprising computer programming instructions for performing the steps of:

monitoring an energy level of a battery (see pg. 1, 0015-0016]), where the device (106) switches modes to reduce power usage of the batteries in which the monitoring and instructions would be inherent. The combination of Hiben, Bunton, Lencevicius, and Shapiro does not specifically disclose having the features comparing the energy level to a threshold; transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted. However, the examiner maintains that the feature comparing the energy level to a threshold was well known in the art, as taught by Reichelt.

Reichelt further discloses the feature comparing the energy level to a threshold (see col. 4, line 58 - col. 5, line 17; col. 6, line 31-35; Fig. 2 "ref. 44").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt to have the feature comparing the energy level to a threshold, in order to have a reserve power allocation system with an emergency call capability protector which inhibits the making of non-emergency calls under certain preconditions and also allows for user function selection based on battery level and usage criteria, as taught by Reichelt (see col. 2, lines 1-10). The combination of Hiben, Bunton, Lencevicius, Shapiro, and Reichelt does not specifically disclose having the features transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted. However, the examiner maintains that the features transmitting an indication of the energy level to a central controller; and providing an indication that the indication of the energy level has been transmitted was well known in the art, as taught by Bigwood.

Bigwood further discloses the features transmitting an indication of the energy level to a fleet controller (7) which reads on the claimed "central controller" (see pg. 3, [0041-0046]; Fig. 2); and

providing an indication that the indication of the energy level has been transmitted (see pg. 3, [0043-0046]; Fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiben, Bunton, Lencevicius, Shapiro, Reichelt, and Bigwood to have the features transmitting an indication of the energy level to a

central controller; and providing an indication that the indication of the energy level has been transmitted, in order interrogate each mobile radio unit via an over the air interface to automatically report various battery condition parameters, as taught by Bigwood (see pg. 3, [0048]).

Response to Arguments

3. Applicant's arguments with respect to claims 1-10, 12, 15-22, 24-25, 28-32, and 35-36 have been considered but are moot in view of the new ground(s) of rejection necessitated by the amended language and/or new limitations.

In response to applicant's arguments, the Examiner respectfully disagrees as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to

37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,Jr/

WJD,Jr
08 June 2008

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617